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UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MASSACHUSETTS

2005 SEP 30 A 11:41

U.S. DISTRICT COURT  
DISTRICT OF MASS.

GERALDINE FAVALORO, for herself and on  
behalf of all others similarly situated,

Plaintiff,

vs.

Case No. 05-11594 RCL  
Honorable Reginald C. Lindsay

PRESIDENT AND FELLOWS OF HARVARD  
COLLEGE, BAYVIEW CREMATORY, LLC,  
a New Hampshire Limited Liability Company,  
LINDA STOKES, TRUSTEE OF THE DEKES  
REALTY TRUST OF 107 SOUTH BROADWAY,  
LAWRENCE, MASSACHUSETTS, and JOHN J.  
GENTILE,

Defendants.

**PLAINTIFF, GERALDINE FAVALORO'S ASSENTED-TO MOTION FOR BRIEF  
ENLARGEMENT OF TIME TO RESPOND TO MOTIONS TO DISMISS**

Plaintiff, Geraldine Favaloro, by and through her undersigned counsel, hereby moves for a brief enlargement of time, through October 10, 2005, to respond to the pending Motion to Dismiss filed by the Defendants, President And Fellows Of Harvard College and John J. Gentile.

In support thereof, Plaintiff states the following:

1. On June 29, 2005, Plaintiff, Geraldine Favaloro commenced this action by filing a Class Representation Complaint in the Superior Court for Essex County, Massachusetts.
2. On July 29, 2005 Harvard removed this case to this Court pursuant to its Motion under 28 U.S.C. §§ 1332, 1441, 1453 and 1446.

3. On August 16, 2005, the Defendants, Harvard and Gentile, filed separate Motions to Dismiss. Plaintiff sought an enlargement of time to respond to the Motions to Dismiss until such time as her Motion for Remand was determined by this Court. On September 27, 2005, this Court denied such an enlargement.

4. Ms. Favaloro has begun preparation of her Response and Opposition to the Motions to Dismiss and anticipates filing such Response and Opposition on or before October 10, 2005.

5. Defendants, Harvard and Gentile have assented to the proposed enlargement of time.

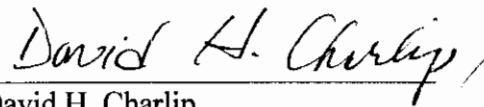
WHEREFORE, by reason of the foregoing, Plaintiff requests that this Court enter its order enlarging the time for Plaintiff to file her Response and Opposition to the Motions to Dismiss through and including October 10, 2005.

**Rule 7.1(a)(2) Certification**

Pursuant to Local Rule 7.1 (a)(2), undersigned counsel for Ms. Favaloro certifies that she has conferred with counsel for Harvard and Gentile and that counsel for those parties has assented to the requested enlargement of time to file Response and Opposition to the Motion to Dismiss.

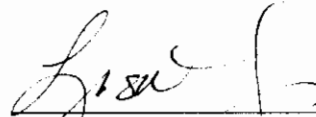
Respectfully Submitted,

Geraldine Favaloro,  
Plaintiff and Putative Class Representative,  
by her attorneys,



David H. Charlip  
Florida Bar No.: 329932  
1930 Harrison Street  
Suite 208  
Hollywood, Florida 33020  
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And

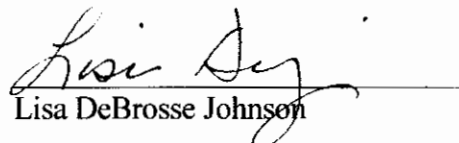


Lisa DeBrosse Johnson, BBO# 632428  
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(617) 854-3740

05-11594 RCL

**Certificate Of Service**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on  
counsel for all parties by United States Mail, Postage Prepaid, this 29<sup>th</sup> day of September, 2005.

  
Lisa DeBrosse Johnson